

### **REMARKS**

Applicants first wish to thank the Examiner for her time and consideration involved in examining the application. As requested by the Examiner and in response to the Examiner's Restriction Requirement, Applicants affirm the election of the claims of Group I, claims 12-20, without traverse. Claims 1-11, 18, and 21-28 are canceled without prejudice as reflected in the Amendments to the Claims section.

### **ABSTRACT**

In the official action dated April 7, 2006, the Examiner objected to the Abstract of the Disclosure. Applicants submit herewith a replacement Abstract of the Disclosure believed to include proper content with respect to the Abstract requirements.

### **CLAIM REJECTIONS BASED ON § 103 - BAUER/SMALING**

In the official action, the Examiner rejected claims 12-20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. App. Pub. No. 2004/0050345 to Bauer and U.S. Pat. App. Pub. No. 2003/0200742 to Smaling.

The subject application (i.e., U.S. Serial No. 10/693,242), U.S. Pat. App. Pub. No. 2004/0050345 to Bauer, and U.S. Pat. App. Pub. No. 2003/0200742 to Smaling were, at the time the invention of the subject patent application was made, owned by ArvinMeritor, Inc. As such, U.S. Pat. App. Pub. No. 2004/0050345 to Bauer and U.S. Pat. App. Pub. No. 2003/0200742 to Smaling are disqualified from being used in a rejection under 35 U.S.C. § 103(a) against the claims of the subject patent application. Therefore, rejection of claims 12-17, 19, and 20 should be withdrawn.

## CONCLUSION

In view of the foregoing remarks, it is submitted that this application is in condition for allowance. Action to that end is hereby solicited.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response and shortages in other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg LLP, Deposit Account No. 10-0435 with reference to file 9501-71831.

Respectfully submitted,

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